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5 Attorney for Plaintiff,
Darren Gilbert

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

11 DARREN GILBERT,) Case No. 1:22-cv-00319-SKO
12 Plaintiff,)
13 vs.)
14 GABRIEL CASTREJON dba EL)
15 MARISQUERO, et al.;)
16 Defendants.)
17)
18)
19)

ORDER DIRECTING CLERK TO CLOSE THE CASE

(Doc. 54)

IT IS HEREBY STIPULATED by and between Plaintiff Darren Gilbert (“Plaintiff”) and Defendants, Gabriel Castrejon dba El Marisquero, Ignacio Castrejon Alvarez dba El Marisquero, and Guaranty Holdings of California, Inc. (collectively “Defendants,” and together with Plaintiff, “the Parties”), by and through their respective counsel, that pursuant to Federal Rule of Civil Procedure 41(a)(2), this action be dismissed with prejudice.

IT IS FURTHER STIPULATED by the Parties that the Court shall expressly retain jurisdiction over this matter for the purpose of adjudicating any subsequent motion Plaintiff

STIPULATION FOR DISMISSAL AND ORDER

1 may bring to recover his attorneys' fees and costs ("Fees Motion"). Any Fees Motion shall be
2 filed within 60 days of the date the Court issues its Order on this stipulation.

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IT IS SO STIPULATED.

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6 Dated: November 7, 2023

MOORE LAW FIRM, P.C.

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/s/ Tanya E. Moore

Tanya E. Moore
Attorney for Plaintiff,
Darren Gilbert

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Dated: November 7, 2023

MICHAEL S. WARDA,
a Professional Law Corporation

/s/ Michael S. Warda

Michael S. Warda
Attorney for Defendants,
Gabriel Castrejon dba El Marisquero,
Ignacio Castrejon Alvarez dba El
Marisquero, and Guaranty Holdings of
California, Inc.

STIPULATION FOR DISMISSAL AND ORDER

ORDER

On November 7, 2023, the parties filed a joint stipulation dismissing the action with prejudice. (Doc. 54). In light of the parties' stipulation,

IT IS HEREBY ORDERED as follows:

1. Plaintiff Darren Gilbert (“Plaintiff”) and Defendants, Gabriel Castrejon dba El Marisquero, Ignacio Castrejon Alvarez dba El Marisquero, and Guaranty Holdings of California, Inc. (collectively “Defendants”) shall comply with the terms of the Settlement Agreement and Release in Full, the terms of which are incorporated herein by reference.

2. By consent of Plaintiff and Defendants, the Court shall retain jurisdiction in this matter for the purpose of adjudicating any motion by Plaintiff to recover his attorneys' fees and costs ("Fees Motion") until February 6, 2024. Plaintiff shall file any Fees Motion within 60 days of the date of this Order.

3. Except as provided for in paragraphs 1 and 2 above, this action has been terminated, *see Fed. R. Civ. P.* 41(a)(1)(A)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997), and has been dismissed with prejudice. Accordingly, the Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: **November 8, 2023**

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE